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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/669,686	09/25/2003	Yuichi Kawaguchi	2003_1314A	4427
513 7590 05/22/2007 WENDEROTH, LIND & PONACK, L.L.P. 2033 K STREET N. W. SUITE 800 WASHINGTON, DC 20006-1021			EXAMINER TANG, KAREN C	
			ART UNIT 2151	PAPER NUMBER
			MAIL DATE 05/22/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/669,686	Applicant(s) KAWAGUCHI ET AL.	
	Examiner Karen C. Tang	Art Unit 2151	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>1/21/04</u> . | 6) <input type="checkbox"/> Other: _____ |

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1. Claims 1-11 are presented for examination.

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 2, 7, 10 and 11 are rejected under 35 U.S.C. 102(e) as being anticipated by Derango et al hereinafter Derango (US 7,120,147).

2. Referring to Claim 1, Derango disclosed a resource management system, comprising: a plurality of electronic equipments classified into groups according to capacity thereof (classified/categorized into zones, refer to Col 3, Lines 50-60); a plurality of lower layer transmission devices with ports where said plurality of electronic equipments are operable to be connected (refer to hosts comprising ports in order to connect with router, refer to Col 3, Lines 60-67); an upper transmission device (router) operable to connect said plurality of lower layer transmission devices (base sites) in subordinates and to relay information among said plurality of electronic equipments being connected to said plurality of lower layer transmission devices (router relay information to hosts, refer to Col 4, Lines 25-27); and a resource management server operable to manage resources to be used for transmitting information between said upper transmission device and said plurality of lower layer transmission devices (refer to Col 4, Lines

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20-37); wherein said resource management server is operable to manage information of groups of all said electronic equipments connected to said plurality of lower layer transmission devices (Col 3, Lines 65-67 and Col 5, Lines 1-2, and Lines 20-25); wherein, when said plurality of electronic equipments are newly connected to said plurality of lower layer transmission devices, each respective electronic equipment is operable to send, to said resource management server, a notice of resource reservation request (RSVP) and group information of the respective electronic equipment (refer to Col 4, Lines 54-63); and wherein, when said resource management server receives the notice, said resource management server is operable to set up a path in a network connecting the newly connected electronic equipments and other electronic equipments belonging to the same group that the notice indicates, and said resource management server is operable to judge if the resource reservation request according to the notice is acceptable on the path set up in the network (RSVP providing set up the path in a network connecting the newly connected electronic equipments, Col 5, Lines 30-40, and Lines 40-45).

Referring to Claim 2, Derango, disclosed a resource management system according to claim 1, wherein said resource management server is operable to update reservation status of the resources when the resource reservation request according to the notice is acceptable on the path set up in the network, and operable to make at least a resource reservation for the respective electronic equipment (refer to the router receive the request, and act upon the request which is update the status of reservation, Col 5, Lines 5-20, further, RSVP protocol provides confirmation/information to the server whether or not the request is being accepted).

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3. Referring to Claim 10, Derango disclosed wherein the new resource reservation request is made as directed by a user input (refer to Col 10, Lines 15-20).

4. Referring to Claim 11, Derango disclosed, wherein, when a resource reservation request is not actually practiced although reservation thereof is made, the resource reservation request is diverted to other service (refer to Col 10, Lines 15-20).

5. Referring to Claim 7, Derango disclosed a resource management resource management system according to claim 1, wherein, when a resource reservation request is rejected, said resource management server is operable to cancel the present reservation status and to make a new resource reservation request (refer to Col 10, Lines 10-20).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3 and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Derango et al hereinafter Derango (US 7,120,147) in view of Vaid et al hereinafter Vaid (US 6,502,101)

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Referring to Claims 3 and 4, although Derango disclosed the invention substantially as claimed, Derango is silence regarding wherein said resource management server is operable to generate picture information displaying whether the resource reservation request is acceptable or not.

Vaid, in an analogous art disclosed whether said resource management server is operable to generate picture information displaying whenever events occur in the system (refer to Col 27, Lines 40-55).

Hence, providing said resource management server is operable to generate picture information displaying whenever events occur in the system disclosed by Vaid, would be desired for user to provide the picture information as a form of notification to information any event occurred in the network.

Therefore, at the time of the invention, it would have been obvious to one of ordinary skill in the art to have modified the system of Derango by including the features which event notification via picutre/gui to provide clear picture of what is going on in the system.

Claims 6, 8 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Derango et al hereinafter Derango (US 7,120,147) in view of Chawla et al hereinafter Chawla (US 6,876,668)

6. Referring to Claims 6, 8 and 9, Derango disclosed a resource management system according to claim 7. although Derango disclosed the invention substantially as claimed, Derango is silence regard wherein the new resource reservation request is made in order of demand for higher/low grade resources.

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Chawla, in an analogous art disclosed wherein the new resource reservation request is made in order of demand for higher/low grade resources (increase/decrease bandwidth refer to Col 4, Lines 1-20).

Hence, providing wherein the new resource reservation request is made in order of demand for higher/low grade resources disclosed by Chawla, would be desired for user to include in the system in order to provide negotiation for RSVP to allocated proper bandwidth to the desired devices.

Therefore, at the time of the invention, it would have been obvious to one of ordinary skill in the art to have modified the system of Derango by including the features which provides flexibility in the system.

Claims 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Derango et al hereinafter Derango (US 7,120,147) in view of Vaid et al hereinafter Vaid (US 6,502,101) in further view of Chawla et al hereinafter Chawla (US 6,876,668)

Referring to Claim 5, although Derango disclosed the invention substantially as claimed, Derango is silence regard wherein, when a resource reservation request is rejected, said resource management server is operable to search an alternative port through which the resource reservation request is acceptable and to generate picture information displaying a location of the searched alternative port.

Vaid, in an analogous art disclosed whether said resource management server is operable to generate picture information when event occurs (refer to Col 27, Lines 40-55).

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Hence, providing said resource management server is operable to generate picture information displaying when event occurs by Vaid, would be desired for user to provide the picture information as a form of notification to information any event occurred in the network.

Therefore, at the time of the invention, it would have been obvious to one of ordinary skill in the art to have modified the system of Derango by including the features which event notification via picture/gui to provide clear picture of what is going on in the system.

However, Both Derango and Vaid are silence in regarding the server is operable to search the alternative port.

Chawla, in an analogous art disclosed RSVP negotiation (Col 4, Lines 1-20), which provides method to determine alternative to make the RSVP.

Hence, providing RSVP negotiation which provides method to determine alternative to make the RSVP disclosed by Chawla, would be desired for user to include in the system in order to provide negotiation for RSVP to allocated proper bandwidth to the desired devices.

Therefore, at the time of the invention, it would have been obvious to one of ordinary skill in the art to have modified the system of Derango by including the features which provides flexibility in the system.

Conclusion

7. **Examiner's Notes:** Examiner has cited particular columns and line numbers in the references applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to specific

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limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner. In the case of amending the claimed invention, Applicant is respectfully requested to indicate the portion(s) of the specification which dictate(s) the structure relied on for proper interpretation and also to verify and ascertain the metes and bounds of the claimed invention.

8. A shortened statutory period for reply to this Office action is set to expire THREE MONTHS from the mailing date of this action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Karen C. Tang whose telephone number is (571)272-3116. The examiner can normally be reached on M-F 7 - 3.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Zarni Maung can be reached on (571)272-3939. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Karen Tang


ZARNI MAUNG
SUPERVISORY PATENT EXAMINER